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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|---------------------------|---|
| Proceeding | 91178872 |
| Party | Defendant Samar, L.L.C. |
| Correspondence Address | Randel S. Springer Womble Carlyes Sandridge & Rice One West Fourth Street Winston-Salem, NC 27101 UNITED STATES trademarkswinston@wcsr.com, rspringer@wcsr.com, afleeson@wcsr.com, tsharpe@wcsr.com |
| Submission | Other Motions/Papers |
| Filer's Name | Randel S. Springer |
| Filer's e-mail | trademarkswinston@wcsr.com, rspringer@wcsr.com, afleeson@wcsr.com, tsharpe@wcsr.com |
| Signature | /Randy Springer/ |
| Date | 12/03/2009 |
| Attachments | 20091203135216505.pdf (3 pages)(90806 bytes) |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**In the Matter of Application Serial No. 78/744,586
Published on February 13, 2007
Mark: FEET STAY HAPPY IN BEAUTIFUL SHOES**

AMERICAN ESSENTIALS, INC.

Opposer,

v.

SARAMAR, LLC.

Applicant.

Opposition No. 91178872

**CONSENTED MOTION TO AMEND APPLICATION
AND CONDITIONAL WITHDRAWAL OF OPPOSITION**

The above referenced application, Serial No. 78/744,586 (the "Application"), owned by Saramar, LLC ("Applicant"), was published for opposition on February 13, 2007 and has been opposed by American Essentials, Inc. ("Opposer"). The parties have determined that this opposition can be resolved by amending the identification of goods recited in the application to the identification recited below. If such amendment is acceptable to the United States Patent and Trademark Office, Opposer hereby agrees to withdraw its opposition to the Application with prejudice.

Amendment After Publication

Opposer and Applicant hereby request the United States Patent and Trademark Office to substitute the following for the original identification of goods in the Application.

Insoles for footwear; non-slipping devices for shoes; shoe inserts for primarily non-orthopedic purposes; heel inserts for footwear in International Class 25

The parties believe that the proposed identification of goods is an acceptable clarification or limitation of the identification of goods and request that the Trademark Trial and Appeal Board accept the amendment.

Conditional Withdrawal of Opposition Proceedings

If the Trademark Trial and Appeal Board accepts the proposed amendment to the identification of goods, Applicant hereby requests that the Trademark Trial and Appeal Board dismiss the above-captioned Opposition with prejudice.

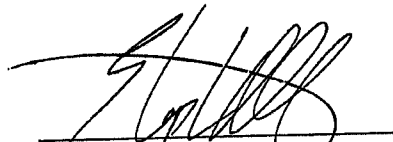
Consented to this 3rd day of December, 2009.



Randel S. Springer

Womble Carlyle Sandridge & Rice, PLLC
One West Fourth Street
Winston-Salem, North Carolina 27101
Telephone: (336) 721-3747
Facsimile: (336) 726-6991

Attorney for Applicant



Stephen M. O'Neill, Esq.

DAMON MOREY LLP
The Avant Building, Suite 1200
200 Delaware Avenue
Buffalo, NY 14202-2150
Telephone: (716) 858-3865
Facsimile: (716) 856-5537

Attorney for Opposer

CERTIFICATE OF MAILING

I do hereby certify that on December 3rd, 2009 I filed via electronic means (ESTTA) this

CONSENTED MOTION TO AMEND APPLICATION AND CONDITIONAL

WITHDRAWAL OF OPPOSITION with the:

U. S. Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

with a copy via First Class Mail, postage prepaid, to:

Stephen M. O'Neill, Esq.
Damon Morey LLP
The Avant Building, Suite 1200
200 Delaware Avenue
Buffalo, NY 14202-2150

Victoria Thomas Sharpe
Victoria Thomas Sharpe, Paralegal